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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Group: | 1651 | } | |
| Confirmation No.: | 7088 | } | |
| Application No.: | 10/728,291 | } | |
| Invention: | Method For Repair Of Liver Tissue | } | |
| Applicants: | Stephen F. Badylak et al. | } | ELECTRONICALLY FILED: <u>September 17, 2010</u> |
| Filed: | December 4, 2003 | } | |
| Attorney Docket: | 3220-73986 | } | |
| Examiner: | Allison M. Ford | } | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Supplemental Information Disclosure Statement is filed in the application identified above pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97(b). Should a first Office action precede this submittal, the Commissioner is authorized to charge the fee under 37 C.F.R. § 1.17(p) and consider the submission under 37 C.F.R. § 1.97(c).

Also, this Statement is filed pursuant to the holding of the Federal Circuit Court of Appeals in the case *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003). In *Dayco*, it was held that a rejection of a substantially similar claim in a co-pending United States application being examined by another examiner is considered material to patentability. In an abundance of caution, and without any admission that the claims of the following applications are substantially similar, applicants are updating the listing of the prior IDS for the convenience of the Examiner:

U.S. Application Serial No. 10/728,291
Supplemental Information Disclosure Statement

| USSN | | US Pub. No. | US Pat No. |
|------------|--------------|--------------|------------|
| 09/319,781 | | --- | 6,379,710 |
| 10/134,416 | CON of above | 2002/0160052 | 6,793,939 |
| 10/775,386 | CON of above | 2004/0157323 | 7,482,025 |
| 12/349,254 | CON of above | 2009/0123511 | |
| 10/500,511 | | 2005/0019419 | |
| 10/728,033 | | 2004/0191226 | |

The undersigned hereby acknowledges that the Examiner has access to the file histories of the above-noted applications and no copies of the issued office actions are being submitted with this Information Disclosure Statement. However, if the Examiner would like Applicants to provide copies of any file history documents, we will be glad to do so.

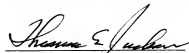
Pursuant to 37 C.F.R. 1.98 (a)(2)(i), a copy of each U.S. patent reference and/or publication has not been provided; however, a copy of each foreign and/or other reference is provided for review by the Examiner.

No representation is intended that a complete search has been made of the prior art or that no better art references than those listed herein are available. The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in §1.56(b).

U.S. Application Serial No. 10/728,291
Supplemental Information Disclosure Statement

If any fees are required, the Director is hereby authorized to charge the same to our Deposit Account No. 10-0435, with reference to our matter 3220-208064.

Respectfully submitted,
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